

Message Text

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INR-07 L-03 NSAE-00 NSC-05 PA-02 PRS-01 SP-02 SS-15

USIA-15 ACDA-10 IO-10 EB-07 NRC-07 OES-05 FEAE-00

ERDA-07 COME-00 TRSE-00 OPIC-06 AID-05 IGA-01 ARAE-00

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FM AMEMBASSY BONN

TO SECSTATE WASHDC PRIORITY 0734

AMEMBASSY BRASILIA IMMEDIATE

UNCLAS SECTION 01 OF 03 BONN 09555

E.O. 11652: N/A

TAGS: ENRG, BR, GW

SUBJECT: BRAZILIAN NUCLEAR DEAL: REPLIES TO
PARLIAMENTARY QUESTIONS

1. MOERSCH, MINISTER OF STATE (UNDER SECRETARY)
IN THE FOREIGN OFFICE, GAVE THE FOLLOWING REPLIES
YESTERDAY TO QUESTIONS ON THE SALE OF NUCLEAR
TECHNOLOGY TO BRAZIL:

2. HANSEN (SPD) QUESTION: WHAT WILL THE FEDERAL
GOVERNMENT DO IN ORDER TO PROPERLY COUNTERACT THE
ECONOMIC WAR-LIKE CAMPAIGN OF INTERESTED US COMPANIES
AND THEIR LOBBYISTS AGAINST THE PLANNED GERMAN-
BRAZILIAN COOPERATION IN NUCLEAR ENERGY?

ANSWER: MR. DELEGATE, THE FEDERAL GOVERNMENT HAS NO
CONCRETE INFORMATION AND FACTS INDICATING THAT
"INTERESTED US COMPANIES AND THEIR LOBBYISTS" WERE
AND ARE PARTICIPATING IN THE MEDIA CONTROVERSIES ABOUT
GERMAN-BRAZILIAN COOPERATION IN THE PEACEFUL
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UTILIZATION OF NUCLEAR ENERGY. OF COURSE, THE

FEDERAL GOVERNMENT'S DISCUSSIONS WITH THE AMERICAN GOVERNMENT INCLUDE THE MEDIA-PUBLISHED SPECULATIONS AND INACCURACIES ABOUT THE GERMAN-BRAZILIAN AGREEMENT ON THE PEACEFUL UTILIZATION OF NUCLEAR ENERGY.

3. HANSEN - QUESTION: MR. MINISTER, MAY I ASSUME THAT THE FEDERAL GOVERNMENT HAS PROVIDED FOR EVERY POSSIBLE LEGAL SAFEGUARD IN THE GERMAN-BRAZILIAN AGREEMENT, THEREBY EXCLUDING FOR ALL PRACTICAL PURPOSES THE PUBLICLY-ALLEGED MISUSE?

ANSWER: MR. DELEGATE, THE FACTS, WHICH WILL AGAIN BE CLARIFIED IN THE ANSWER TO ANOTHER QUESTION, ARE AS FOLLOWS: WE HAVE STIPULATED IN THIS AGREEMENT NOT ONLY ADHERENCE TO THE IAEA-ESTABLISHED SAFEGUARDS, BUT HAVE ALSO OBTAINED ASSURANCES FROM BRAZIL THAT SAFEGUARDS WHICH GO BEYOND THESE REQUIRED BY THE IAEA WILL BE ENFORCED. I REFER IN THIS CONNECTION TO STATEMENTS OF THE AMERICAN GOVERNMENT, STATEMENTS OF THE STATE DEPARTMENT SPOKESMAN ON JUNE 4. I PARTICULARLY APPRECIATE THAT THE BILATERAL CONSULTATIONS BETWEEN THE GERMAN AND THE US GOVERNMENTS, WHICH WERE USEFUL AND FRANK, SERVED TO CLARIFY TO THE AMERICAN SIDE THAT WE (THE GERMAN GOVERNMENT) HAD REQUESTED ADDITIONAL SAFETY MEASURES. TO REPEAT THIS POINT FOR EMPHASIS: IT WAS CONFIRMED BY THE AMERICAN SIDE THAT WE GO BEYOND THE INTERNATIONALLY ESTABLISHED STIPULATIONS BECAUSE WE ARE WELL AWARE THAT AN AGREEMENT WITH A COUNTRY, WHICH WAS HERETOFORE NOT AN NPT MEMBER, MUST GIVE PARTICULAR CONSIDERATION TO SAFEGUARD MATTERS. WE ALSO KNOW, OF COURSE, THAT BRAZIL, REGARDLESS OF WHETHER WE HAD CONCLUDED SUCH AN AGREEMENT, HAS BEEN CONSIDERED A THRESHOLD-POWER FOR QUITE SOME TIME.

4. HANSEN - QUESTION: DID I UNDERSTAND YOU CORRECTLY THAT ALL TRANSACTIONS PURSUANT TO THE GERMAN-BRAZILIAN COOPERATION AGREEMENT ARE SUBJECT TO IAEA?

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ANSWER: MR. DELEGATE, MY ANSWER TO THE NEXT QUESTION (LENZER'S) WILL PERHAPS MAKE IT EVEN CLEARER WHAT I MEANT. THIS IS A FRAMEWORK AGREEMENT, WHICH WE ARE PLANNING TO CONCLUDE. IT FOLLOWS OUR EXPORT TRADE LAW WITH RESPECT TO THE COMMITMENTS OF THE COMPANIES. IT IS UNDERSTOOD THAT, PURSUANT TO THE LEGAL PROVISIONS, THE COMPANIES ARE SUBJECT TO TERMS OF SUPPLY. THE GOVERNMENT, SO TO SPEAK, MUST LEGALLY

SPECIFY IN THIS FRAMEWORK AGREEMENT WHATEVER CAN BE
LEGALLY SPECIFIED.

WE HAVE NO DOUBT THAT THE COMPANIES, PARTICULARLY
THE PARTIES TO THE AGREEMENT, WILL ADHERE TO IT.
THE BRAZILIANS ALSO TOLD ME THAT, IN THE SPECIFIC
INSTANCES WHERE THEY CONTACT THIRD COUNTRIES DURING

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THE WRITING OF THE PERTINENT AGREEMENTS, THEY WILL
INCLUDE THE GERMAN SIDE IN THE DISCUSSIONS. THIS IS
INDEED SOMETHING HERETOFORE UNUSUAL IN INTERNATIONAL
TRANSACTIONS. HOWEVER, I ADMIT, THE PROBLEM
ITSELF OF THIS QUESTION HAS NEVER COME UP BECAUSE
THERE WAS NO NUCLEAR ENERGY. THEREFORE I HOLD
WE WERE JUSTIFIED--AND OUR PARTNERS FULLY UNDERSTOOD--
TO MAKE EXTRAORDINARY REQUESTS AND EXPECT THAT
THESE EXTRAORDINARY REQUESTS WILL BE HONORED.

5. LENZER (CDU/CSU) - QUESTION: WHAT IS THE
POSITION OF THE FEDERAL GOVERNMENT REGARDING US

OBJECTIONS TO THE PLANNED COOPERATION AGREEMENT
WITH BRAZIL IN THE PEACEFUL USES OF NUCLEAR ENERGY?

ANSWER: THE FEDERAL GOVERNMENT HAS INFORMED THE
US GOVERNMENT--MAY I REFER IN THIS CONNECTION
TO MY ANSWER TO DELEGATE HANSEN--AT AN EARLY DATE
AND COMPREHENSIVELY ABOUT THE NEGOTIATIONS WITH
BRAZIL AND THEIR OUTCOME. US APPREHENSIONS THAT THE
SAFEGUARDS AGREED UPON WITH BRAZIL WOULD NOT BE
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ADEQUATE ARE, IN THE FEDERAL GOVERNMENT'S VIEW,
UNFOUNDED. THE AGREEMENT COVERS COOPERATION IN THE
PEACEFUL UTILIZATION OF NUCLEAR ENERGY. IT STIPULATES
COMPREHENSIVE CONTROL AGREEMENTS WHICH ARE IN HARMONY
WITH OUR OBLIGATIONS PURSUANT TO THE NPT AND EVEN
EXCEED THEM IN ESSENTIAL RESPECTS. I HAVE POINTED
THAT OUT BEFORE.

6. LENZER - QUESTION: MR. STATE SECRETARY, COULD
YOU GIVE SPECIFIC DATES FOR THE IMPLEMENTATION OF
THIS AGREEMENT?

ANSWER: AS YOU KNOW, THE AGREEMENT COVERS A LONG
PERIOD. I BELIEVE ABOUT 15 YEARS ARE ENVISAGED.

7. LENZER - QUESTION: IF I MAY EXPLAIN THE SUBJECT
TO THE MINISTER, I DID NOT REFER TO THE PERIOD
OF THE AGREEMENT BUT RATHER THE DATES FOR THE
SIGNING OF THE PERTINENT AGREEMENT BY THE FEDERAL
GOVERNMENT.

ANSWER: THIS IS PLANNED FOR THE NEAR FUTURE, MR.
DELEGATE.

8. LENZER - QUESTION: MR. MINISTER, DO YOU AGREE
WITH ME THAT IT WILL NOT BE ADVANTAGEOUS FOR THE
RELATIONS OF THE FEDERAL REPUBLIC OF GERMANY TO
FRIENDLY NATIONS IF, IN CONNECTION WITH SUCH
COOPERATIVE AGREEMENTS, STRONG LANGUAGE IS USED,
E.G. LET ME QUOTE "ECONOMIC WAR-LIKE CAMPAIGNS OF
INTERESTED US COMPANIES AND THEIR LOBBYISTS"?
SUCH WORDING WOULD NORMALLY BE USED BY "NEUES
DEUTSCHLAND" (OFFICIAL NEWSPAPER OF THE SOVIET ZONE).

ANSWER: MR. DELEGATE, IT IS NOT THE FEDERAL GOVERNMENT'S
RESPONSIBILITY TO EDIT OR CENSOR THE DELEGATES'
QUESTIONS, OTHERWISE THE QUESTION AND ANSWER HOURS
WOULD BECOME RATHER LENGTHY, AND THIS IS NOT ONLY
TRUE FOR ONE INDIVIDUAL BUT FOR MANY. IRRESPECTIVE

THEREOF, THE FEDERAL GOVERNMENT ADHERES TO THE
LANGUAGE IT HAS USED BEFORE, WHICH IS CLEAR AND NOT
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OFFENSIVE.

9. LENZER - QUESTION: WHAT MEASURES WILL THE
FEDERAL GOVERNMENT, IF NECESSARY, TAKE, IN ORDER
TO PROTECT GERMAN NUCLEAR INDUSTRY FROM DISCRIMINATORY
PRACTICES BY OTHER NATIONS WITH NUCLEAR
INDUSTRY AND TO OPEN ITS WAY TO INTERNATIONAL
MARKETS?

ANSWER: THERE IS NO REASON TO BELIEVE THAT GERMAN
NUCLEAR INDUSTRY IS THREATENED BY DISCRIMINATORY
PRACTICES OF OTHER NATIONS. INDUSTRY MUST WORK ITS
WAY INTO THE INTERNATIONAL MARKET ITSELF. THE
FEDERAL GOVERNMENT SUPPORTS NUCLEAR RESEARCH AND
DEVELOPMENT WITHIN THE FRAMEWORK OF THE 4TH NUCLEAR
ENERGY PROGRAM WHICH IS KNOWN TO THE PARLIAMENT.

10. LENZER - QUESTION: MR. MINISTER, WOULD THE
FEDERAL GOVERNMENT CONSIDER IT UNUSUAL IF IT WERE
EXPECTED TO EXPLOIT ITS DIPLOMATIC INFLUENCE TO GIVE
SUPPORT TO GERMAN NUCLEAR INDUSTRY, AS APPEARS TO

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BE A MATTER-OF-COURSE FOR THE GOVERNMENTS OF THE
UNITED STATES AND FRANCE IN NUMEROUS ECONOMIC SECTORS?

ANSWER: MR. DELEGATE, THE FACT THAT WE SIGNED AND
RATIFIED THE NPT (ALTHOUGH THIS WAS NOT UNCONTROVERSIAL
IN THIS FORUM, AS YOU KNOW)--THE FACT THAT
WE IMPROVED OUR RELATIONS WITH MANY NATIONS, AND ENTERED
INTO RELATIONS WITH OTHERS, AND THE FACT THAT WE
ENDEAVOR TO MAKE IT CLEAR THAT THE FEDERAL REPUBLIC OF
GERMANY HAS NOT THE SLIGHTEST AMBITION TO POSE AS A
QUASI-ATOMIC POWER NATION, BUT DEVOTES ALL ITS
RESEARCH PROGRAMS EXCLUSIVELY TO PEACEFUL UTILIZATION
IS--IN MY OPINION--AN EFFECTIVE SUPPORT TO THE
EXPORT OPPORTUNITIES OF GERMAN INDUSTRY AND HAS
INDEED BEEN PROVEN TO THAT EFFECT, ESPECIALLY IN THIS
INSTANCE, IF I MAY SAY SO.

OF COURSE, THE FEDERAL GOVERNMENT ENDEAVORS TO
BACK THE INTERESTS OF THE FEDERAL REPUBLIC OF
GERMANY IN ALL QUESTIONS CONCERNING OUR ECONOMY. THE
FEDERAL GOVERNMENT WILL NOT BE PUT INTO A POSITION
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TO SHOW PARTIALITY--IN CASE OF COMPETING GERMAN
COMPANIES--TOWARD ONE PARTICULAR COMPANY. THAT'S
UNDERSTOOD. ONE MUST MAKE THIS CLEAR BECAUSE SUCH
A SITUATION IS CONCEIVABLE. HOWEVER, THE FEDERAL
GOVERNMENT WILL CERTAINLY BE USEFUL TO INDUSTRY'S
OWN INITIATIVES BECAUSE OF THE FINE STATUS OF ITS
RELATIONS TO OTHER NATIONS. I BELIEVE THIS IS THE
WAY TO SIMULTANEOUSLY AND HARMONIOUSLY FIX
THE LIMITS BETWEEN ECONOMIC INTERESTS AND GOVERNMENT
ACTIVITIES.

11. LENZER - QUESTION: WILL THE FEDERAL GOVERNMENT,
ON THE STRENGTH OF ITS POSSIBILITIES,
PUSH FOR MORE PRECISELY WORDED PROVISIONS WHICH WOULD
EXCLUDE ANY DOUBTS ON THE SAFEGUARDS QUESTION AND
OBTIATE THE NEED FOR DISCUSSIONS IN CONNECTION WITH THE
NPT REVIEWS SCHEDULED AT REGULAR INTERVALS--E.G.

ARTICLE 3 CONCERNING THE PEACEFUL UTILIZATION OF
NUCLEAR ENERGY--?

ANSWER: MR. DELEGATE, WE JUST CAME FROM SUCH A
CONFERENCE. I WILL BE HAPPY TO LET YOU HAVE THE
OPENING ADDRESS WHICH I GAVE IN THE NAME OF THE
FRG, MAKING JUST THIS ESSENTIAL POINT. YOU WILL
SEE THAT THIS WAS AND WILL BE OUR GUIDELINE FOR
THE NEGOTIATIONS.

HILLENBRAND

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